

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In The Matter Of The Application Of

HAWAIIAN ELECTRIC COMPANY, INC.

For Approval to Commit Funds in Excess of  
\$2,500,000 (excluding customer contributions) for  
Item Y00118, Beckoning Point Substation and 46 kV  
Circuit.

DOCKET NO. 2008-0321

STIPULATED PROCEDURAL ORDER

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DIV. OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

PUBLIC UTILITIES  
COMMISSION

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FILED

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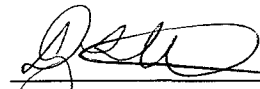
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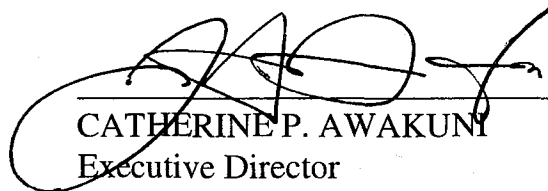
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STIPULATED PROCEDURAL ORDER

Applicant Hawaiian Electric Company, Inc. ("Hawaiian Electric") and the  
Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs  
(the "Consumer Advocate") hereby stipulate that the attached Stipulated Procedural Order  
is mutually acceptable to each respective party.

DATED: Honolulu, Hawaii, January 28, 2009.

  
\_\_\_\_\_  
DARCY ENDO-OMOTO  
Vice President  
Government and Community Affairs  
Hawaiian Electric Company, Inc.

  
\_\_\_\_\_  
CATHERINE P. AWAKUNI  
Executive Director  
Division of Consumer Advocacy  
Department of Commerce and Consumer Affairs

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STIPULATED PROCEDURAL ORDER

On December 23, 2008, Hawaiian Electric Company, Inc. ("Hawaiian Electric") filed an application requesting: (1) Commission approval to commit funds in excess of \$2,500,000, excluding customer contributions, for the Beckoning Point Substation and 46 kV Circuit project, in accordance with the provisions of Paragraph 2.3(g)(2) of General Order No. 7<sup>1</sup>, (2) the Commission to conduct a public hearing as required by Hawaii Revised Statutes ("HRS") Section 269-27.5 for the overhead construction of a 46 kV subtransmission line through a residential area, and (3) a Commission determination that the 46 kV subtransmission line, as described in the subject application, be constructed above the surface of the ground, pursuant to HRS Section 269-27.6(a). Hawaiian Electric served copies of the application on the Division

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<sup>1</sup> Pursuant to Decision and Order No. 21002 ("D&O 21002"), filed May 27, 2004, in Docket No. 03-0257, effective July 1, 2004, the General Order No. 7 capital expenditures threshold was increased from \$500,000 to \$2.5 million, excluding customer contributions. The capital cost of the subject project is greater than \$2.5 million (excluding customer contributions), therefore, Commission approval of the capital expenditures is required.

of Consumer Advocacy of the Department of Commerce and Consumer Affairs (the "Consumer Advocate").

By Order Instructing the Parties to Submit a Procedural Schedule, filed January 14, 2009, the Commission ordered, among other things, Hawaiian Electric and the Consumer Advocate to submit a stipulated procedural order for the Commission's review and approval within 20 days after passage of the intervention deadline; however, if any motions to intervene or participate without intervention are filed in this proceeding, the proposed or stipulated orders are to be filed within 30 days after the commission issues its order(s) addressing the filed motions. No motions to intervene and/or participate were filed by the January 14, 2009 deadline. As a result, the stipulated procedural order is due no later than February 2, 2009.

Hawaiian Electric and the Consumer Advocate have reached agreement on procedural matters and submit this Stipulated Procedural Order to the Commission, which is acceptable to the parties.

ACCORDINGLY, IT IS ORDERED that the following Statement of the Issues, Schedule of Proceedings and procedures shall be utilized in this docket.

I.

STATEMENT OF THE ISSUES

The issues in this docket are:

1. Is Hawaiian Electric's proposal to construct the new Beckoning Point Substation reasonable?

2. Is Hawaiian Electric's proposal to construct the proposed overhead 46 kV line pursuant to HRS Section 269-27.6(a) reasonable?
3. Are the estimated project costs reasonable?

## II.

### SCHEDULE OF PROCEEDINGS

Hawaiian Electric Application for the Beckoning Point Substation and 46kV Circuit project	December 23, 2008
Commission public hearing	February 25, 2009
Consumer Advocate Information Requests ("IRs") to Hawaiian Electric <sup>2</sup>	March 11, 2009
Hawaiian Electric IR Responses to Consumer Advocate <sup>2</sup>	April 9, 2009
Consumer Advocate Supplemental IRs ("SIRs") <sup>2</sup> , if necessary	April 30, 2009
Hawaiian Electric Responses to SIRs <sup>2</sup>	May 14, 2009
Consumer Advocate Statement of Position ("SOP")	June 10, 2009
Hawaiian Electric SOP, if necessary*	June 24, 2009

- \* If the Consumer Advocate objects to approval of the application, or requests that approval be subject to conditions.

If there are substantial disagreements following the filing of the SOPs, and the parties cannot resolve the differences by stipulation and the parties do not waive the right to a hearing, the parties shall propose a hearing schedule (including the filing of simultaneous post-hearing briefs) for Commission approval.

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<sup>2</sup> Whenever possible, parties will provide copy of documents on diskette upon request.

If Hawaiian Electric determines that a Reply SOP is unnecessary, Hawaiian Electric and the Consumer Advocate will notify the Commission that the proceeding is ready for decision making.

The 90 day deadline for the Commission to issue a decision and order regarding Hawaiian Electric's application is March 23, 2009, pursuant to paragraph 2.3(g)(2) of General Order No. 7. Since the proposed schedule includes certain deadline dates that extend after March 23, 2009, Hawaiian Electric and the Consumer Advocate hereby waive the 90 day deadline for the Commission to issue a decision and order for the subject application.

### III.

#### MISCELLANEOUS MATTERS TO FACILITATE AND EXPEDITE THE ORDERLY CONDUCT OF THESE PROCEEDINGS

##### A. Requests for Information

To the extent practical, Hawaiian Electric and the Consumer Advocate will cooperate (1) by exchanging information requests and responses as they become available, and (2) by resolving questions regarding information requests and responses informally to attempt to work out problems with respect to understanding the scope or meaning of information requests, or with respect to the availability of information. If a party is unable to provide the information requested within the prescribed time period, it should so indicate to the inquiring party as soon as possible. The parties shall then endeavor to agree upon a later date for submission of the requested information.

In lieu of responses to information requests that would require the reproduction of voluminous documents or materials, the documents or materials may be made available for reasonable inspection and copying at a mutually agreeable designated location and time. In the event such information is available on computer diskette or other readily usable electronic medium, the party responding to the information request may make the diskette or such electronic medium available to the other party and the Commission.

A party shall not be required, in a response to an information request, to provide data already filed with the Commission or otherwise part of the public record, or that may be stipulated to pursuant to Part B, infra. The responding party shall, in lieu of production of any document in the public record, include in its response to the information request an identification of the document with reasonable specificity sufficient to enable the requesting party to locate and copy the document. In addition, a party shall not be required, in a response to an information request, to make computations, compute ratios, reclassify, trend, calculate, or otherwise rework data contained in its files or records.

A party may object to responding to an information request that it deems to be irrelevant, immaterial, unduly burdensome, onerous or repetitious, or where the response contains information claimed to be privileged or subject to protection (confidential information). If a party claims that information requested is confidential, and withholds production of all or a portion of such confidential information, the party shall: (1) provide information reasonably sufficient to identify the confidential information withheld from

the response, without disclosing privileged or protected information; (2) state the basis for withholding the confidential information (including, but not limited to, the specific privilege applicable or protection claimed for the confidential information and the specific harm that would befall the party if the information were disclosed); and (3) state whether the party is willing to provide the confidential information pursuant to a protective order governing this docket.

A party seeking production of documents notwithstanding a party's claim of confidentiality, may file a motion to compel production with the Commission.

B. Matters of Public Record

In order to provide a means to reduce unnecessary reproduction of documents and to facilitate these proceedings, identified matters of public record, such as reports that Hawaiian Electric has filed with the Commission, published decisions of this or other commissions, published scientific or economic statistical data, material and textbooks, technical or industry journals relating to electric utility matters, and specified parts of the record in previous Commission dockets shall be admissible in this proceeding without the necessity of reproducing each document; provided that the document to be admitted is clearly identified by reference to the place of publication, file or docket number, and the identified document is available for inspection by the Commission and the parties; and further provided that any party has the right to explain, qualify or conduct examination with respect to the identified document. The Commission can rule on whether the identified document can be admitted into evidence when a party proffers such document



for admission as evidence in this case.

From time to time, the parties may enter into stipulations that such documents, or any portion of such documents, may be introduced into evidence in this case.

C. Copies of Filings and Information Requests.

1. Filings:

Commission	Original + 8 copies
Hawaiian Electric	2 copies
Consumer Advocate	2 copies

2. Information Requests and Responses:

Commission	Original + 8 copies
Hawaiian Electric	2 copies
Consumer Advocate	2 copies

3. All pleadings, and other documents required to be filed with the Commission shall be filed at the office of the Commission in Honolulu within the time limit prescribed pursuant to Chapter 61, subchapter 2, section 6-61-15 of the Commission's Rules of Practice and Procedure.

4. Copies of all filings, information requests and information request responses should be sent to the other parties by hand delivery or via facsimile. In addition, if available, all parties shall provide copies of their filings, information requests and information request responses to the other parties via diskette or e-mail in a standard electronic format that is readily available by the parties. The parties agree to use Word 97, Word 2000, or Word 2003 as the standard programming format for filings in this case. However, if workpapers, documentation, or exhibits attached to any filing are not readily

available in an electronic format, a party shall not be required to convert such workpapers, documentation, or exhibits into an electronic format. Also, existing documents produced in response to requests need not be converted to Word 97/Word 2000/Word 2003 as long as the applicable format is identified. In the event a copy of a filing, information request or information request response is delivered to a party via diskette or e-mail, unless otherwise agreed to by such party, the same number of copies of such filing, information request or information request response must still be delivered to such party by hand delivery or via facsimile as provided in Parts C.1 and C.2 above.

D. Communications

Chapter 61, subchapter 3, section 6-61-29 of the Commission's Rules of Practice and Procedure concerning ex parte communications is applicable to any communications between a party and the Commission. However, the parties may communicate with Commission counsel on matters of practice and procedure through their own counsel or designated official.

Communications between the parties should either be through counsel or through designated representatives. All pleadings, papers, and other documents filed in this proceeding shall be served on the opposing party. All motions, supporting memoranda, and the like shall also be served on opposing counsel.

E. General


These procedures are consistent with the orderly conduct of this docket.

This Stipulated Procedural Order shall control the subsequent course of the

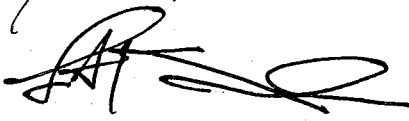
proceedings, unless modified by the Parties in writing and approved by the Commission consistent with HAR § 6-61-23, to the extent applicable, or upon the Commission's own motion.

DONE at Honolulu, Hawaii, this 6<sup>th</sup> day of February, 2009.

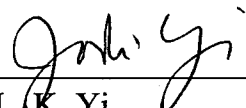
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
John E. Cole, Commissioner

By   
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

  
Jodi L.K. Yi  
Commission Counsel

CERTIFICATE OF SERVICE

The foregoing Stipulated Procedural Order was served on the date of filing by  
mail, postage prepaid, and properly addressed to the following parties:

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
DIVISION OF CONSUMER ADVOCACY  
335 Merchant Street, Room 326  
Honolulu, Hawaii 96813

DEAN MATSUURA  
MANAGER, REGULATORY AFFAIRS  
HAWAIIAN ELECTRIC COMPANY, INC.  
P. O. Box 2750  
Honolulu, HI 96840-0001